

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT EUGENE ROJAS,

Plaintiff,

v.

COUNTY OF SACRAMENTO, et al.,

Defendants.

No. 2:22-cv-00967-DAD-AC (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. No. 4)

Plaintiff Robert Eugene Rojas, a former county jail inmate, is proceeding *pro se* in this civil action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 12, 2024, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed, without leave to amend, due to plaintiff's failure to state a cognizable claim upon which relief may be granted. (Doc. No. 4.) The magistrate judge concluded that granting leave to amend would be futile because plaintiff does not allege any constitutional violations. (*Id.* at 3.) Further, the magistrate judge explained that plaintiff only alleges violations of patent and trademark law and such claims are also insufficiently pled because he does not allege that he has a patent, which is a prerequisite for this court's jurisdiction over such a claim. (*Id.*) Those pending findings and recommendations were served on plaintiff at his address of record and contained notice that any objections thereto were to be filed within

1 twenty-one (21) days after service. (*Id.* at 4.) To date, no objections to the pending findings and
2 recommendations have been filed, and the time in which to do so has now passed.

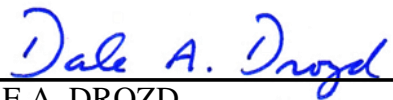
3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
4 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
5 findings and recommendations are supported by the record and by proper analysis.

6 Accordingly,

- 7 1. The findings and recommendations issued on March 12, 2024 (Doc. No. 4) are
8 adopted in full;
9 2. This action is dismissed due to plaintiff's failure to state a cognizable claim; and
10 3. The Clerk of the Court is directed to close this case.

11 IT IS SO ORDERED.

12 Dated: April 16, 2024

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14 DALE A. DROZD
15 UNITED STATES DISTRICT JUDGE
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